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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continued from 11 - the applied art still teaches the claim elements.

Examiner notes that page 2 of the Office Action dated 11/6/08 contains a typo in that Examiner inadvertently omitted claims 30, 31, 35, 36, 40, and 41 from being listed in section 4. The omitted claims were, however, subsequently rejected under sub-sections 4-18 and 4-19. Examiner also notes that page 10, sub-section 4-19 contains a typo as the indication of claim 35 is a typographical error meant to indicate claim 36.

Regarding independent claims 1, 22, 24, and 42, Applicant argues that Rothmuller et al (Pub. No. US 2003/033296 A1), Lyness (U.S. Patent No. 6,496,842 B1), and Becker et al (U.S. Patent No. 6,337,694 B1), as described in the previous Office action, do not explicitly teach or suggest "a scrolling time bar". Examiner notes that the term "scrolling time bar" may be broadly interpreted and, without further elaboration, does not necessarily require that the time bar may be scrolled to indicate periods of time beyond that which is shown in the extent of the timeline. Contrary to Applicant's arguments, Rothmuller discloses [Rothmuller, figure 3] which show left and right arrows and an icon between the arrows that appear to indicate the current position within the timeline. Examiner agrees that Rothmuller discloses and one of ordinary skill in the art would have understood the Rothmuller publication to teach and suggest that at least the left and right arrow are used to position the icon beneath the timeline to indicate the current position within the timeline. Thus, the bar that contains the icon may be considered as a scrolling time bar since it is used to scroll through different periods of the timeline. One may also interpret the adjustable bands 251 within the timeline to read on a scrolling time bar. These bands indicate the time period of the photos

displayed in the image area [*Rothmuller, paragraphs 28-29*]. Additionally, the combination of Rothmuller and Lyness would provide a scrolling time bar that indicates periods of time beyond that which is shown in the extent of the timeline. This is discussed below with regards to the teaching of the media handle at a centerline position of the scrolling time bar.

Applicant argues that the absence of a product or technology combining the alleged teachings is evidence that the present invention was not obvious and should be considered by the Examiner as a secondary consideration of the nonobviousness of the present invention. However, Examiner still believes that the combination presented would have been obvious to one of ordinary skill in the art at the time the invention was made.

Applicant argues that Rothmuller, Lyness, and Becker do not explicitly teach or suggest, "a centerline position of the scrolling time bar for the media handle". Contrary to Applicant's arguments, Lyness discloses displaying a return-to-center user interface control tool [*Lyness, column 3, lines 1-7, 10-22*] for navigating a set of information [*Lyness, column 15, line 39 to column 16, line 51*]. The further the control tool is dragged from the rest position, the greater the emulated controller displacement [*Lyness, column 14, lines 28-31*]. As shown in [*Lyness, figure 16*], the control tool is centered below the information it is navigating. Thus, the information it is navigating would scroll to reflect the currently navigated item. The control tool may be a scroller within a bar as shown in [*Lyness, figure 15*]. This provides a smooth user interface control tool that allows for a variable rate of change which enhances the efficiency with

which a user can operate the control. Since Rothmuller discloses a control for browsing media files of a timeline, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the GUI control with the variable rate of change feature, as taught by Lyness, to scroll through the timeline of Rothmuller. This would provide a smooth user interface control tool that allows for a variable rate of change which enhances the efficiency with which a user can operate the control. The control of Lyness would thus provide a control tool centered on a bar below the timeline that would allow for the scrolling of the timeline. As shown in [Lyness, figure 16], information not currently displayed within a view may be scrolled to using the control tool.

Regarding dependent claim 7, Applicant argues that Rothmuller, Lyness, and Becker do not explicitly teach "decreasing the speed of the browsing in relation to the distance of the *approaching* media file". Examiner notes that the term "approaching" does not necessarily constitute that an object is not yet within view. An object can be approaching and still be in view, albeit at a distance farther away, or partially but not completely in view yet. Contrary to Applicant's arguments, Becker discloses a method and system for variable speed scrolling of a viewable object within a data processing system [Becker, column 1, lines 8-13]. If the content is a graphical representation, the scrolling may proceed slower when more intricate sections are being displayed than when simple sections are displayed [Becker, column 5, lines 57-66]. Thus, the scrolling speed may proceed at a slow rate when only a portion of a graphical representation is displayed and may proceed even slower when the entire graphical representation having more intricate parts is displayed.

Regarding dependent claims 8, 32, and 37, Applicant alleges that Rothmuller, Lyness, and Becker do not explicitly teach "increasing the speed of the browsing when a media file having the chosen browse parameter *bypasses the centerline position of a view*". Examiner notes that nowhere in the claim defines what part of the media file that bypasses the centerline position of a view causing the increase in speed of browsing. Contrary to Applicant's arguments, Becker discloses that if the content is a graphical representation, the scrolling may proceed slower when more intricate sections are being displayed than when simple sections are displayed [*Becker, column 5, lines 57-66*]. The centerline position of a view that causes the increase in speed of browsing would be the view of the graphical representation that represents the most intricate parts of it and thus, would have a scrolling speed of the slowest possible. Any movement from that centerline position would cause at least some decrease in intricacy and thus, the scrolling speed would be increased. Thus, scrolling speed would be based around this centerline position of the view.

Applicant states that dependent claims 3-5, 7-21, 23, 25, 27, 29-41, and 43-47 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independent claims 1, 22, 24, and 42. However, as discussed above, Rothmuller, Lyness, and Becker are considered to teach claim 1, 22, 24, and 42, and consequently, claims 3-5, 7-21, 23, 25, 27, 29-41, and 43-47 are rejected.

/Tadesse Hailu/

Primary Examiner, Art Unit 2173